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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hugh R. Sharkey et al.

Art Unit : 3739

Serial No. : 09/895,609

Examiner : D.M. Ruddy

Filed : June 29, 2001

Title : SURGICAL INSTRUMENT HAVING DISTAL FACE WITH FIRST AND  
SECOND ELECTRODESCommissioner for Patents  
Washington, D.C. 20231

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RESPONSE

TECHNOLOGY CENTER R3700

In response to the action mailed July 24, 2002, please amend the application as follows:

In the specification:

Please replace the paragraph beginning at page 3, line 19. with the following rewritten paragraph:

These and other objects and features are accomplished in accordance with the principles of the present invention by providing a probe having a cannula with at least one electrode for the transmission and application of energy to a treatment site along an energy application surface as well as a suction lumen through which unwanted matter and surgical by-products may be aspirated from the treatment area. Preferably, at least one electrode, an active electrode is provided on a distal end of the probe. A return or indifferent electrode may be located on the patient's body or on the probe. The instrument is coupled to an energy generator that preferably includes controls that may be used to regulate the power, frequency, and voltage applied to the instrument to vary the type of treatment for which the instrument is used. The regulation may include feedback controls.

Please replace the paragraph beginning at page 6, line 7, with the following rewritten paragraph:

FIGS. 18A-C are cross-sectional, end, and perspective views of an alternative embodiment of the distal tip having a single aspiration opening with both active and return electrodes formed by loop prongs defining the energy application surface;

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